

Chair Anne Boyle called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. Chair Boyle invited the public to address the Commission and also announced that a copy of the Nebraska Open Meetings Act was posted in the meeting room. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published May 6, 2008 on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held May 13, 2008 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, May 13, 2008:

NUSF-32.07 Commission Hearing Room, Lincoln.

1:30 In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the failure of various companies to comply with Commission Rules and Orders and to impose administrative fines. Commissioner Johnson presiding as Hearing Officer.

NUSF-4 Commission Hearing Room, Lincoln.

2:00 In the Matter of the Commission, on its own motion, seeking to determine the level of the fund necessary to carry out the Nebraska Telecommunications Universal Service Fund Act effective with the fiscal year beginning July 1, 1999. Commissioner Landis presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

C-3206 In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund (NIEF). Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to ratify the appointment of Linn Gowen to the NIEF Advisory Board. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3917 In the Matter of Total Call International, Inc., Los Angeles, California, seeking authority to operate as an interexchange carrier of telecommunications services within the State of Nebraska: Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an order allowing the applicant to withdraw their application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3920 In the Matter of Contact Communications, Riverton, Wyoming seeking authority to withdraw its local exchange certificate of authority in the State of Nebraska: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order granting the application to withdraw the applicant's local exchange certificate of authority. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3927 In the Matter of Geneva Broadband, LLC (GBB), Geneva, seeking arbitration of the negotiation of an Interconnection Agreement with Windstream Nebraska, Inc., Lincoln: Rod Johnson was appointed as Hearing Officer.

E-2185 In the Matter of Loup River Public Power District, Columbus seeking authority to construct, operate and maintain electric transmission lines in Platte and Boone Counties: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-029 In the Matter of the Commission, on its own motion, seeking to establish testing standards for the implementation of Enhanced Wireless 911: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order granting the waiver request from Verizon, regarding testing requirements. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-50 In the Matter of the Commission, on its own motion, seeking to make adjustments to the universal service fund mechanism established in NUSF-26: Hershey Telephone. Commissioners Landis and Vap presiding as Hearing Officer. Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order approving Hershey's waiver application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

Jeff Pursley discussed the Late-Filed NUSF Remittance Worksheets. Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram that a late-fee be levied against Level 3 Communications, LLC and that a Complaint be opened against Granite Telecommunications, LLC. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0052.1 In the Matter of Coral Energy Resources, L.P., Houston, Texas seeking authority to change its name to Shell Energy North America (US) L.P. (SENA): Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0053 In the Matter of the amended application of Nebraska Resources Company, LLC, Tulsa, Oklahoma, seeking a Certificate of Public Convenience and Necessity authorizing it to operate as a jurisdictional utility in Nebraska and approval of a tariff. Commissioner Landis presiding as Hearing Officer: Laura Demman informed the Commission that an order was entered by the Hearing Officer on May 8, 2008, scheduling an Oral Argument on May 12, 2008, at 9:00 a.m. in the Commission Hearing Room, Lincoln, regarding pending Motions to Compel.

P-0012.11 In the Matter of Aquila, Inc., d/b/a Aquila Networks, Omaha, providing notice required by Neb. Rev. Stat. Section 66-1863, as amended, that it intends to extend or enlarge its service area or extend a gas main: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order closing docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

Rate Division

BR-332 In the Matter of League of Human Dignity, Petitioner, vs. R&F Hobbies, Inc., dba Prince of the Road, Transport Plus, Inc., Caring Network, Inc., Midlands Services Link, Inc., A-1 Transportation, LLC, dba A-1 Special Services, Hope Transportation, Inc., Prime Consultants, Inc., dba Goodwill Medical Transportation, Inc., Respondents. Commissioner Boyle presiding as Hearing Officer: The hearing previously scheduled for July 16, 2008, was continued to July 30, 2008, at 9:30 a.m. in the Commission Hearing Room.

BR-335 In the Matter of Passenger Transportation Services, dba A & B Shuttle, Omaha, seeking authority to adjust its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Goods Tariff 7F: The fuel surcharge was increased to \$1.32 per mile.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter orders for RVF-2, MODF-2 and MANF-1 scheduling a hearing for June 24, 2008 at 1:00 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Commissioner Tim Schram was appointed as Hearing Officer.

- RVF-2 In the Matter of the Commission, on its own motion, seeking to determine the seal and plan review fee amounts for the Recreational Vehicle Program.
- MODF-2 In the Matter of the Commission, on its own motion, seeking to determine the seal and plan review fee amounts for the Modular Housing Program.
- MANF-1 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Manufactured Home Program.

GRAIN WAREHOUSE DEPARTMENT

- GW-1599 In the Matter of Alvo Grain and Feed, Inc., Alvo and Ashland: A hearing was scheduled for June 25, 2008, at 1:00 p.m. in the Exposition Building, Cass County Fairgrounds, Manley.

Grain Dealer Division

- GD-2927 In the Matter of ABE Fairmont, LLC, Fairmont, seeking cancellation of its Grain Dealer License: The license was cancelled.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

AS Central Finance - Printing	\$	860.98
Attorney General		5,598.82
Ted Burkey		5,400.00
Thomson West		888.00
Voyager		2,135.44
Anne Boyle		545.50
Rod Johnson		622.16

GENERAL ADMINISTRATION (Cont).

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Ehlers Electronics LLC	\$ 524.95
Alternative Hearing	1,183.79
Associated Ear Nose & Throat	1,914.75
B Hear Inc.	615.15
Beltone	3,243.20
Glassman's Hearing Aid Service	121.94
Grand Island Hearing Aid Center	1,225.00
League of Human Dignity	169.95
Sherard Hearing Aid Center	1,304.50
Teltex Inc	1,090.70
Weitbrecht Communications	1,632.75
Western ENT Associates	439.90
White's Hearing Aid Specialists	194.95

A presentation on the proposed Nebraska Relay Media Campaign was given by Dixie Ziegler of Hamilton Telecommunications and David Buchholz from David and Associates.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to authorize the staff to draft an amendment to the current relay contract with Hamilton Telecommunications to carry out the Nebraska Relay Media Campaign. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to renew the Commission's agreement with Ted Burkey for the provision of services relating to the inspection of recreational vehicle factories in the states of California, Indiana, Kansas, Michigan, Ohio, Oregon and Pennsylvania effective July 1, 2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:41 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held on May 20, 2008, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on May 19, 2008.

Chair

Executive Director